



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

December 10, 2020

By ECF

Hon. Sarah L. Cave  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *Hector Gonzalez v. Comm'r of Soc. Sec.*, No. 1:20-07338-JMF-SLC**

Dear Judge Cave:

This Office represents the Commissioner of Social Security, Defendant in the above-referenced action. I write respectfully request that the filing of the certified administrative record, or if appropriate, motion to dismiss the complaint, currently due on Monday December 14, 2020, be stayed pending the outcome of Defendant's motion to transfer venue, which was filed earlier today.<sup>1</sup>

We attempted to reach Plaintiff by telephone about this request, but we were unable to speak with him or leave a message. Thank you for your consideration of this request.

Respectfully,

AUDREY STRAUSS  
Acting United States Attorney

BY: /s/ Leslie A. Ramirez-Fisher  
LESLIE A. RAMIREZ-FISHER  
Assistant U.S. Attorney  
Telephone: (212) 637-0378

cc: Hector Gonzalez, Plaintiff *Pro Se* (by regular mail).

Application DENIED. Whether this matter is transferred to E.D.N.Y. or proceeds here, Defendant will have to file the CAR or a motion to dismiss, so there is no reason to delay. That said, in view of the pandemic, the deadline is extended to January 4, 2021. The Clerk of Court is directed to terminate ECF No. 17 and to mail this to Plaintiff. SO ORDERED.

December 10, 2020

<sup>1</sup> The Social Security Administration ("SSA") has informed this Office that it has not been able to prepare the CAR or other appropriate response to the complaint due to the ongoing delays caused by telecommuting and other temporary workplace changes that SSA implemented in response to the pandemic.